

Detailed Action

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/3/08 has been entered.

Status of claims

2. Claims 1-4 are pending.
3. Claims 1-4 have been examined.

Priority

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-4 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
 - a. Claims 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

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MPEP 2106.01:

The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either “functional descriptive material” or “nonfunctional descriptive material.” Both types of “descriptive material” are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because “[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.”).

Claim 1 recites “a transmission origin apparatus”. However claim 1 fails to contain any computer hardware that is used to implement the apparatus so as to realize the functionality. Contrary to arguments made by some applicants, use of the word “apparatus” does not inherently means that the claim is directed to a machine. Only if at least one of the claimed elements of the apparatus is a physical part of a device can the apparatus as claimed constitute part of a device or a combination of devices to be a machine within the meaning of 101. Thus the body of claim 1 is merely an abstract idea and is being processed without any computer manipulation.

b. Claims 2 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

MPEP 2106.01:

The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either “functional descriptive material” or “nonfunctional descriptive material.” Both types of “descriptive material” are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994).

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because “[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.”).

Claim 2 recites “a transmission destination apparatus”. However claim 2 fails to contain any computer hardware that is used to implement the apparatus so as to realize the functionality. Contrary to arguments made by some applicants, use of the word “apparatus” does not inherently means that the claim is directed to a machine. Only if at least one of the claimed elements of the apparatus is a physical part of a device can the apparatus as claimed constitute part of a device or a combination of devices to be a machine within the meaning of 101. Thus the body of claim 2 is merely an abstract idea and is being processed without any computer manipulation.

c. Claims 3 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

MPEP 2106.01:

The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either “functional descriptive material” or “nonfunctional descriptive material.” Both types of “descriptive material” are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994).

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because “[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.”).

Claim 3 recites “a information transmission system”. However claim 3 fails to contain any computer hardware that is used to implement the system so as to realize the functionality. Contrary to arguments made by some applicants, use of the word “system” does not inherently means that the claim is directed to a machine. Only if at least one of the claimed elements of the system is a physical part of a device can the system as claimed constitute part of a device or a combination of devices to be a machine within the meaning of 101. Thus the body of claim 3 is merely an abstract idea and is being processed without any computer manipulation.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1 – 4 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent Application Publication 2001/0048534, by Tanaka et al. (hereafter Tanaka).

Claim 1:

Tanaka discloses the following claimed limitations:

“transmission origin storage means to which the file to be transmitted is saved; and”
[paragraph 0055, A transmitting/receiving device transmits and receives image data]

“identifying file generating means for generating an identifying file having a unique structure used to identify the transmission origin of the file to be transmitted,”[0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 7 discloses, shows a print file. 0086 discloses, receives image files according to the paths recorded in the print file to print images. Accordingly, identifying file (0088, print file) generating means for generating an identifying file (0088, print file) having a unique structure (figure 7, structure of print file) used to identify the transmission origin of the file (path of file) to be transmitted (0086, receives image files)]

“wherein

identification of the transmission origin of the file to be transmitted is made on the basis of a file storage folder structure that has been pre-standardized for both the transmission origin apparatus and a transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the file storage folder structure as an identifying file for a transmission origin, and” [0086 discloses, receives print file from the electronic camera, and then receives the image files according to the paths recorded in the print file to print the images. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 6 discloses shows the structure of directories including image files stored in a storage medium of the electronic camera. Figure 7 discloses, print file. 0070 discloses, reads the designated image data from the storage medium or the memory and converts the image data in a predetermined format. Figure 1 discloses, view of an electronic camera and printer system. 0093, printer requests directory information from the camera. In response, the camera reads the directory information and transmits it to the printer. The printer stores the directory information in the memory, the nonvolatile memory, or the storage medium, and then determines whether or not the print file is included in the directory. Accordingly, identification of the transmission origin of the file to be transmitted (0088, path of file) is made on the basis of a file storage folder structure that has been pre-standardized (figure 6, directories and 0093-0094) for both the transmission origin apparatus (camera) and a transmission destination apparatus (printer) of the information transmission system (figure 1) in order to identify the identifying file (print file)

contained in the file storage folder structure (figure 6) as an identifying file (print file) for a transmission origin (camera)]

“the identifying file in the transmission origin apparatus is identified as an identifying file in a transmission origin when the file structure of the identifying file has the same file format and data contents as the file format and data contents that have been pre-standardized for an identifying file in a transmission origin of the information transmission system, and by which an apparatus of the information transmission system that has the pre-standardized file storage folder structure can be identified as an origin of a file that can be transmitted to another apparatus of the information transmission system that has the pre-standardized file storage folder structure, even when both apparatuses are based on different systems” [0086 discloses, receives print file from the electronic camera, and then receives the image files according to the paths recorded in the print file to print the images. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 6 discloses shows the structure of directories including image files stored in a storage medium of the electronic camera. Figure 7 discloses, print file. 0070 discloses, reads the designated image data from the storage medium or the memory and converts the image data in a predetermined format. Figure 1 discloses, view of an electronic camera and printer system. 0093, printer requests directory information from the camera. In response, the camera reads the directory information and transmits it to the printer. 0094, the printer stores the directory information in the memory, the nonvolatile memory, or the storage medium, and then determines whether or not the print file is included in the directory. Accordingly, the identifying

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file (0088, print file) in the transmission origin apparatus (0088, print file from the electronic camera) is identified as an identifying file (0094, determines whether or not the print file is included) in a transmission origin (0094, printer) when the file structure of the identifying file (0088, print file) has the same file format (figure 6, print file, txt format) and data contents (0098, date and time) as the file format (figure 6, print file, txt format) and data contents (0098, date and time) that have been pre-standardized for an identifying file (0088, print file) in a transmission origin (0086, camera) of the information transmission system (figure 1), and by which an apparatus of the information transmission system (figure 1) that has the pre-standardized file storage folder structure (figure 6) can be identified as an origin of a file (0055, transmitter) that can be transmitted to another apparatus of the information transmission system (figure 1, printer) that has the pre-standardized file storage folder structure (0093-0094, directory), even when both apparatuses are based on different systems (figure 3, camera and figure 5, printer)].

Claim 2:

Tananka discloses the following claimed limitations:

“transmission destination storage means to which the transmitted file is saved;” [paragraph 0055,

A transmitting/receiving device transmits and receives image data]

“monitoring means for detecting that a file storage folder structure in a transmission origin storage means provided in a transmission origin apparatus matches a file storage folder structure that has been pre-standardized for both the transmission origin apparatus and the transmission destination apparatus of the information transmission origin system in order to identify an identifying file contained in the file storage folder structure as an identifying file for a transmission origin; and”[Figure 8 and 0093, discloses after that, the printer requests the directory information from the camera. In response to the request the camera reads the directory information and transmits it to the printer. Figure 1 discloses view of an electronic camera and printer system. Figure 6 discloses, structure of directories. Figure 7 discloses, elements of the print file. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. Accordingly, monitoring (figure 8, directory browse) means for detecting that a file storage folder structure (0093, directory information) in a transmission origin storage (figure 3 elements 94 and 38, storage medium) means provided in a transmission origin apparatus (0093, camera) matches a file storage folder structure that has been pre-standardized for both the transmission origin apparatus and the transmission destination apparatus (0093, requests/reads directory information from printer/camera) of the information transmission system (figure 1) in order to identify an identifying file (0088, print file) contained in the file storage folder structure (figure 6, directory) as an identifying file for a transmission origin (0088, print file).]

“saving means for saving, to the transmission destination storage means, the file transmitted from said transmission origin storage means of the transmission origin apparatus, when the

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monitoring means identifies the identifying file as an identifying file in a transmission origin,” [0177 discloses the data transmitting device transmits the print file showing the file names of the image files and the print conditions to the data receiving device; And the data receiving device stores the received print file in the storage medium. 0178 discloses the data transmitting device produces the image file list showing the properties of the image files and the stores the image file list in the storage medium. Accordingly, saving (0177,stores) means for saving, to the transmission destination storage means (0177, receiving device), the file transmitted from said transmission origin storage (0178, stores the image file list in the storage medium) means of the transmission origin apparatus (0178, data transmitting device), when the monitoring means identifies the identifying file (0177, print file) as an identifying file in a transmission origin (0177, print file)]

“wherein

the identifying file in the transmission origin apparatus is identified as an identifying file in a transmission origin when the file structure of the identifying file has the same file format and data contents as the file format and data contents that have been pre-standardized for an identifying file in a transmission origin of the information transmission system, and by which any apparatus of the information transmission system that has the pre-standardized file storage folder structure can be identified as an origin of a file that can be transmitted to another apparatus of the information transmission system that has the pre-standardized file storage folder structure, even when both apparatuses are based on different systems.” [0086 discloses, receives print file from the electronic camera, and then receives the image files according to the paths

recorded in the print file to print the images. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 6 discloses shows the structure of directories including image files stored in a storage medium of the electronic camera. Figure 7 discloses, print file. 0070 discloses, reads the designated image data from the storage medium or the memory and converts the image data in a predetermined format. Figure 1 discloses, view of an electronic camera and printer system. 0093, printer requests directory information from the camera. In response, the camera reads the directory information and transmits it to the printer. 0094, the printer stores the directory information in the memory, the nonvolatile memory, or the storage medium, and then determines whether or not the print file is included in the directory. Accordingly, the identifying file (0088, print file) in the transmission origin apparatus (0088, print file from the electronic camera) is identified as an identifying file (0094, determines whether or not the print file is included) in a transmission origin (0094, printer) when the file structure of the identifying file (0088, print file) has the same file format (figure 6, print file, txt format) and data contents (0098, date and time) as the file format (figure 6, print file, txt format) and data contents (0098, date and time) that have been pre-standardized for an identifying file (0088, print file) in a transmission origin (0086, camera) of the information transmission system (figure 1), and by which an apparatus of the information transmission system (figure 1) that has the pre-standardized file storage folder structure (figure 6) can be identified as an origin of a file (0055, transmitter) that can be transmitted to another apparatus of the information transmission system (figure 1, printer) that has the pre-standardized file storage folder structure (0093-0094,

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directory), even when both apparatuses are based on different systems (figure 3, camera and figure 5, printer)].

Claim 3:

Tanaka discloses the following claimed limitations:

“a transmission origin apparatus and transmission destination apparatus connected together using a standardized serial interface standard, the transmission origin apparatus” [0077 discloses in case of wire communication, a serial interface format such as the RS-232, RS-422, the USB and the IEEE1394 may be used]

“ comprising:

transmission origin storage means to which the file to be transmitted is saved; and”
[paragraph 0055, A transmitting/receiving device transmits and receives image data]

“identifying file generating means for generating, in the transmission origin storage system, an identifying file having a unique structure used to identify the transmission origin, in addition to the file to be transmitted, identification of the transmission origin and the file to be transmitted being made on the basis of a file storage folder structure that has been pre-standardized for both the transmission origin apparatus and a transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the file storage folder structure and having the unique structure used to identify the transmission

origin,” [0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 7 discloses, shows a print file. 0086 discloses, receives image files according to the paths recorded in the print file to print images. Accordingly, identifying file (0088, print file) generating means for generating, in the transmission origin storage system (figure 3), an identifying file having a unique structure used to identify the transmission origin (figure 7, structure of print file includes path of files), in addition to the file to be transmitted (0086, receives image files), identification of the transmission origin and the file to be transmitted being made on the basis of a file storage folder structure (figure 6) that has been pre-standardized for both the transmission origin apparatus and a transmission destination apparatus (figure 6) of the information transmission system (figure 1) in order to identify the identifying file (0088, print file) contained in the file storage folder structure (figure 6) and having the unique structure used to identify the transmission origin (figure 7, path of files).]

the transmission destination apparatus comprising:

“the transmission apparatus storage means to which the transmitted file is saved;” [paragraph 0055, A transmitting/receiving device transmits and receives image data]

“monitoring means for detecting that the file storage folder structure in the transmission origin storage means, provided in the transmission origin apparatus, matches the file storage folder structure that has been pre-standardized for both the transmission origin apparatus and the

transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the folder structure as an identifying file of a transmission origin; and” [Figure 8 and 0093, discloses after that, the printer requests the directory information from the camera. In response to the request the camera reads the directory information and transmits it to the printer. Figure 1 discloses view of an electronic camera and printer system. Figure 6 discloses, structure of directories. Figure 7 discloses, elements of the print file. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. Accordingly, monitoring (figure 8, directory browse) means for detecting that a file storage folder structure (0093, directory information) in a transmission origin storage (figure 3 elements 94 and 38, storage medium) means provided in a transmission origin apparatus (0093, camera) matches a file storage folder structure that has been pre-standardized for both the transmission origin apparatus and the transmission destination apparatus (0093, requests/reads directory information from printer/camera) of the information transmission system (figure 1) in order to identify an identifying file (0088, print file) contained in the file storage folder structure (figure 6, directory) as an identifying file for a transmission origin (0088, print file).]

“savings means for saving, to the transmission destination storage means, the file transmitted from said transmission origin storage means when the monitoring means identifies the identifying file as an identifying file of a transmission origin,” [0177 discloses the data transmitting device transmits the print file showing the file names of the image files and the print conditions to the data receiving device; And the data receiving device stores the received print

file in the storage medium. 0178 discloses the data transmitting device produces the image file list showing the properties of the image files and the stores the image file list in the storage medium. Accordingly, saving (0177, stores) means for saving, to the transmission destination storage means (0177, receiving device), the file transmitted from said transmission origin storage (0178, stores the image file list in the storage medium) means of the transmission origin apparatus (0178, data transmitting device), when the monitoring means identifies the identifying file (0177, print file) as an identifying file in a transmission origin (0177, print file)]

“wherein the identifying file in the transmission origin apparatus is identified as an identifying file in a transmission origin when the file structure of the identifying file has the same file format and data contents as the file format and data contents that have been pre-standardized for an identifying file in a transmission origin of the information transmission system, and by which any apparatus of the information transmission system that has the pre-standardized file storage folder structure can be identified as an origin of a file that can be transmitted to another apparatus of the information transmission system that has the pre-standardized file storage folder structure, even when both apparatuses are based on different systems.” [0086 discloses, receives print file from the electronic camera, and then receives the image files according to the paths recorded in the print file to print the images. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 6 discloses shows the structure of directories including image files stored in a storage medium of the electronic camera. Figure 7 discloses,

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print file. 0070 discloses, reads the designated image data from the storage medium or the memory and converts the image data in a predetermined format. Figure 1 discloses, view of an electronic camera and printer system. 0093, printer requests directory information from the camera. In response, the camera reads the directory information and transmits it to the printer. 0094, the printer stores the directory information in the memory, the nonvolatile memory, or the storage medium, and then determines whether or not the print file is included in the directory. Accordingly, the identifying file (0088, print file) in the transmission origin apparatus (0088, print file from the electronic camera) is identified as an identifying file (0094, determines whether or not the print file is included) in a transmission origin (0094, printer) when the file structure of the identifying file (0088, print file) has the same file format (figure 6, print file, txt format) and data contents (0098, date and time) as the file format (figure 6, print file, txt format) and data contents (0098, date and time) that have been pre-standardized for an identifying file (0088, print file) in a transmission origin (0086, camera) of the information transmission system (figure 1), and by which an apparatus of the information transmission system (figure 1) that has the pre-standardized file storage folder structure (figure 6) can be identified as an origin of a file (0055, transmitter) that can be transmitted to another apparatus of the information transmission system (figure 1, printer) that has the pre-standardized file storage folder structure (0093-0094, directory), even when both apparatuses are based on different systems (figure 3, camera and figure 5, printer)]

Claim 4:

Tanaka discloses the following claimed limitations:

“A folder structure detecting step of detecting a folder structure in transmission origin storage means of a transmission origin apparatus to which the file to be transmitted to transmission destination storage means of a transmission destination apparatus is saved;” [0058, When an inquiry about the structure of directories (folders) including the image files stored in the storage medium is received from the communication device such as the printer, the CPU produces information on the directory structure. Here the origin storage means is the camera. Also, the identifying file includes the structure of folders and the image files as in the source.]

“An identifying file monitoring step of detecting that the folder structure in said transmission origin storage means detected in the folder structure detecting step is a folder structure that has been pre-standardized for the transmission origin and the transmission destination of the information transmission system in order to identify an identifying file contained in the folder structure and having unique structure used to identify the transmission origin; and” [Figure 8 and 0093, discloses after that, the printer requests the directory information from the camera. In response to the request the camera reads the directory information and transmits it to the printer. 0094, discloses determines whether or not the print file is included in the directory. Figure 1 discloses view of an electronic camera and printer system. Figure 6 discloses, structure of directories. Figure 7 discloses, elements of the print file. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. Therefore, an identifying file (0094, print file) monitoring step of detecting that the folder structure (0093 and figure 8, directory browse) in said transmission origin storage means (figure 3 elements 94 and

38, storage mediums) detected in the folder structure detecting step is a folder structure that has been pre-standardized for the transmission origin and the transmission destination (0093, requests/reads directory information from printer/camera) of the information transmission system (figure 1) in order to identify an identifying file (0094, print file) contained in the folder structure (figure 6, structure of directories) and having a unique structure (figure 7, elements of the print file) used to identify the transmission origin (0088, name of device).]

“A copy activation control step of activating and controlling copy means for copying a file from said transmission origin storage means to the transmission destination storage means when the identifying file monitoring step identifies the identifying file as an identifying file for a transmission origin,” [paragraph 0107, If the image file is included in the directory, the printer requests the file shown in the print job from the camera. In response to the request, the camera transmits the image file to the printer]

“wherein

The identifying file in the transmission origin apparatus is identified as an identifying file in a transmission origin when the file structure of the identifying file has the same file format and data contents as the file format and the data contents that have been pre-standardized for an identifying file in a transmission origin of the information transmission system, and by which any apparatus of the information transmission system that has the pre-standardized file storage folder structure can be identified as an origin of a file that can be transmitted to another apparatus of the information transmission system that has the pre-standardized file storage folder structure, even when both apparatuses are based on different systems.” [0086 discloses, receives print file from the electronic camera, and then receives the image files according to the paths

recorded in the print file to print the images. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 6 discloses shows the structure of directories including image files stored in a storage medium of the electronic camera. Figure 7 discloses, print file. 0070 discloses, reads the designated image data from the storage medium or the memory and converts the image data in a predetermined format. Figure 1 discloses, view of an electronic camera and printer system. 0093, printer requests directory information from the camera. In response, the camera reads the directory information and transmits it to the printer. 0094, the printer stores the directory information in the memory, the nonvolatile memory, or the storage medium, and then determines whether or not the print file is included in the directory. Accordingly, the identifying file (0088, print file) in the transmission origin apparatus (0088, print file from the electronic camera) is identified as an identifying file (0094, determines whether or not the print file is included) in a transmission origin (0094, printer) when the file structure of the identifying file (0088, print file) has the same file format (figure 6, print file, txt format) and data contents (0098, date and time) as the file format (figure 6, print file, txt format) and data contents (0098, date and time) that have been pre-standardized for an identifying file (0088, print file) in a transmission origin (0086, camera) of the information transmission system (figure 1), and by which an apparatus of the information transmission system (figure 1) that has the pre-standardized file storage folder structure (figure 6) can be identified as an origin of a file (0055, transmitter) that can be transmitted to another apparatus of the information transmission system (figure 1, printer) that has the pre-standardized file storage folder structure (0093-0094,

directory), even when both apparatuses are based on different systems (figure 3, camera and figure 5, printer)]

Response to Arguments

8. Applicant's arguments filed 3/3/08 have been fully considered but they are not persuasive. Applicant's assert the following directed towards the Tanaka reference (lettered).

A. pages 7-8, that Tanaka does not disclose the file structure of the identifying file has the same file format and data contents as file format and data contents that have been pre-standardized for an identifying file in a transmission origin.

It appears applicant's assertions are directed to the limitation "the identifying file in the transmission origin apparatus is identified as an identifying file in a transmission origin when the file structure of the identifying file has the same file format and data contents as the file format and data contents that have been pre-standardized for an identifying file in a transmission origin of the information transmission system" is not disclosed.

In response, the examiner respectfully disagrees that determining whether the file structure of the identifying file has the same file format and data contents as file format and data contents that have been pre-standardized for an identifying file in a transmission origin is not disclosed. And further that the limitation the identifying file in the transmission origin apparatus is identified as an identifying file in a transmission origin when the file structure of the identifying file has the same file format and data contents as the file format and data contents

that have been pre-standardized for an identifying file in a transmission origin of the information transmission system is not disclosed.

Tanaka discloses 0086 discloses, receives print file from the electronic camera, and then receives the image files according to the paths recorded in the print file to print the images. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 6 discloses shows the structure of directories including image files stored in a storage medium of the electronic camera. Figure 7 discloses, print file. 0070 discloses, reads the designated image data from the storage medium or the memory and converts the image data in a predetermined format. Figure 1 discloses, view of an electronic camera and printer system. 0093, printer requests directory information from the camera. In response, the camera reads the directory information and transmits it to the printer. 0094, the printer stores the directory information in the memory, the nonvolatile memory, or the storage medium, and then determines whether or not the print file is included in the directory. 0098, printer determines whether or not the data and time and the creator of the read from the print file and those read from nonvolatile memory of the printer are the same.

Accordingly, the identifying file (0088, print file) in the transmission origin apparatus (0088, print file from the electronic camera) is identified as an identifying file (0094, determines whether or not the print file is included) in a transmission origin (0094, printer) when the file structure of the identifying file (0088, print file and figure 7) has the same (0086 discloses, receives print file from the electronic camera) file format (figure 6, print file, txt format) and data

contents (0098, date and time) as the file format (figure 6, print file, txt format) and data contents (0098, date and time) that have been pre-standardized for an identifying file (0088, print file) in a transmission origin (0086, camera) of the information transmission system (figure 1) is disclosed.

Hence further disclosing unclaimed assertion of if the transmission destination (printer) detects this pre-standardized file storage folder structure (directory) in the transmission origin storage means (camera), it then analyzes the detected file folder structure to find the identifying file (determines print file) of the file storage folder structure (in directory structure) to determine whether or not the file structure of the identifying file (figure 7, structure of print file) has the same file format (print file is text format) and data contents (0098, date and time) as file format (print file is text) and data contents (0098, date and time) that have been pre-standardized for an identifying file (0088, print file) in a transmission origin (0086, camera).

B. page 9, Applicant's assert that Tanaka does not disclose anything regarding providing apparatuses of the information transmission system, which are based on different systems, with a pre-standardized file storage folder structure, which structure includes an identifying file, and then using pre-standardized file format and data contents for the identifying file in order to identify an identifying file in the pre-standardized file storage folder structure as an identifying file in a transmission origin, by which any apparatus can be identified as an origin of a file that can be transmitted to another

apparatus of the information transmission system that has the pre-standardized file storage folder structure, even when both apparatuses are based on different systems.

It appears applicant's assertions are directed to the limitation "by which an apparatus of the information transmission system that has the pre-standardized file storage folder structure can be identified as an origin of a file that can be transmitted to another apparatus of the information transmission system that has the pre-standardized file storage folder structure, even when both apparatuses are based on different systems" is not disclosed.

In response, the examiner respectfully disagrees that by which an apparatus of the information transmission system that has the pre-standardized file storage folder structure can be identified as an origin of a file that can be transmitted to another apparatus of the information transmission system that has the pre-standardized file storage folder structure, even when both apparatuses are based on different systems is not disclosed.

Tanaka discloses 0086 discloses, receives print file from the electronic camera, and then receives the image files according to the paths recorded in the print file to print the images. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 6 discloses shows the structure of directories including image files stored in a storage medium of the electronic camera. Figure 7 discloses, print file. 0070 discloses, reads the designated image data from the storage medium or the memory and converts the image data in a predetermined format. Figure 1 discloses, view of an electronic camera and printer system. 0093, printer requests directory information from the camera. In response, the camera reads the directory information

and transmits it to the printer. 0094, the printer stores the directory information in the memory, the nonvolatile memory, or the storage medium, and then determines whether or not the print file is included in the directory. 0098, printer determines whether or not the data and time and the creator of the read from the print file and those read from nonvolatile memory of the printer are the same.

Accordingly, disclosing by which an apparatus of the information transmission system (figure 1) that has the pre-standardized file storage folder structure (figure 6) can be identified as an origin of a file (0055, transmitter) that can be transmitted to another apparatus of the information transmission system (figure 1, printer) that has the pre-standardized file storage folder structure (0093-0094, directory), even when both apparatuses are based on different systems (figure 3, camera and figure 5, printer).

Further disclosing the unclaimed providing apparatuses of the information transmission system (see, figure 1), which are based on different systems (see figures 3 and 5), with a pre-standardized file storage folder structure (see paragraphs 0093-0094 and figure 6), which structure includes an identifying file (0088, print file), and then using pre-standardized file format (figure 6) and data contents for the identifying file (0088, print file) in order to identify an identifying file in the pre-standardized file storage folder structure as an identifying file in a transmission origin (0098, determine print file is same in printer/camera), by which any apparatus can be identified as an origin of a file (see, 0055/0075) that can be transmitted to another apparatus of the information transmission system (figure 1) that has the pre-standardized

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file storage folder structure (figure 6), even when both apparatuses are based on different systems (figure 3 and 5).

For the reasons set forth above, the claims as written are still broad enough to be disclosed by the prior art. Accordingly the rejection has been maintained.

Conclusion

9. The prior art made of record listed on PTO-892 and not relied, if any, upon is considered pertinent to applicant's disclosure.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael D. Pham whose telephone number is (571)272-3924. The examiner can normally be reached on Monday - Friday 9am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/M. D. P./
Examiner, Art Unit 2167

/John R. Cottingham/
Supervisory Patent Examiner, Art Unit
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